

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

TANYA L. STILES,

Plaintiff,

v.

SANDBRIDGE PROPERTIES, LLC,

AND

FOOD LION, LLC,

Defendants.

CIVIL ACTION NO.:

NOTICE OF REMOVAL

COMES NOW the Defendant, Sandbridge Properties, LLC, by counsel, pursuant to 28 U.S.C. § 1441, and for its Notice of Removal, respectfully represents unto the Court the following:

1. The above entitled action at law has been instituted by Complaint in the Circuit Court for the City of Virginia Beach ("State Court Action") on April 17, 2020. A true and accurate copy of the Complaint filed in the State Court Action is attached hereto as **Exhibit 1**. This Notice of Removal is being filed within thirty (30) days of Defendant Sandbridge Properties, LLC receipt of the pleading relating thereto in the State Court Action, whether by service or otherwise, which occurred on November 30, 2020 when it voluntarily entered an appearance in the State Court Action. *Murphy Brothers, Inc. v. Michetti Pipe Stringing, Inc.*, 526 U.S. 344, 119 S. Ct. 1322 (1999).

2. Defendant Sandbridge Properties, LLC voluntarily entered its appearance in the State Court Action by filing its Answer on November 30, 2020. A true and accurate copy of the Answer is attached as **Exhibit 2**.

3. No other pleadings have been filed in this case in the State Court Action.

4. The amount in controversy between the Plaintiff and the Defendants exceeds the sum of \$75,000.00, exclusive of interest and costs, as appears by copy of Plaintiff's Complaint.

See Ex. 1.

5. Plaintiff was at the time of the commencement of the State Court Action, and is at the time of the filing of this Notice of Removal, a citizen of the Commonwealth of Virginia. See *Id.* at ¶ 1.

6. Defendant Sandbridge Properties, LLC was at the time of the commencement of the State Court Action, and is at the time of the filing of this Notice of Removal, a citizen of the States of Tennessee and Georgia as its members were citizens of those States. Defendant Sandbridge Properties, LLC is not a citizen of the Commonwealth of Virginia.

7. Plaintiff served Food Lion, LLC on or about December 15, 2020 and it has not entered an appearance in the State Court Action as of the filing of this Notice of Removal. Food Lion, LLC is a North Carolina Limited Liability Company whose sole member is Delhaize America, LLC, formerly known as Delhaize America, Inc. Delhaize America, LLC is a North Carolina Limited Liability Company whose sole member is Delhaize U.S. Holdings, Inc., a Delaware corporation whose principal place of business is located in Salisbury, North Carolina. The sole member of Delhaize U.S. Holdings, Inc. is Ahold Delhaize USA, Inc., a Delaware corporation whose principal place of business is located in Quincy, Massachusetts. The sole member of Ahold Delhaize USA, Inc. is Ahold Delhaize Investment Holding, Inc., a Delaware

corporation, whose sole member is Ahold Delhaize America Holding, Inc., a Delaware corporation. The indirect parent of Ahold Delhaize America Holding, Inc. is Koninklijke Ahold Delhaize N.V., a Dutch public company whose principal place of business is located in the Netherlands. Food Lion, LLC is not a citizen of the Commonwealth of Virginia at the time of the filing of this Notice of Removal and was not a citizen of the Commonwealth of Virginia at the time of the commencement of the State Court Action. Food Lion, LLC is not a citizen of the Commonwealth of Virginia.

8. Food Lion, LLC supports this removal and will be filing the appropriate consent.

9. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1332 and said action is, therefore, removable.

10. Written notice of the filing of this Notice of Removal will promptly be given to Plaintiff and the Clerk of the Circuit Court for the City of Virginia Beach, Virginia, as required by 28 U.S.C. § 1446(d).

WHEREFORE, Defendant Sandbridge Properties, LLC provides this Notice of Removal and prays that this Court proceeds to hear the matters in controversy between the Plaintiff and Defendants.

Respectfully Submitted,

SANDBRIDGE PROPERTIES LLC

By: /s/ Randall C. Lenhart, Jr.
Counsel

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Counsel for Defendant Sandbridge Properties, LLC

CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of December, 2020, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

George Gorman, Esquire
Weisberg & Weisberg, PLLC
744 Thimble Shoals Boulevard
Suite B
Newport News, VA 23606
Counsel for Plaintiff Tanya Stiles

I hereby certify that on the 23rd day of December, 2020, I will send the foregoing by email to:

Jared Warren, Esq.
Britt, Byrne & Warren, PLLC
10800 Midlothian Turnpike, Suite 105
Richmond, Virginia 23235
Counsel for Defendant Food Lion, LLC

/s/ Randall C. Lenhart, Jr.
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